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8 **BEFORE THE**
BOARD OF REGISTERED NURSING
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case Number *2013-768*

12 **JESSICA BOSARGE**
a.k.a. **JESSICA SUTTON BOSARGE**
13 a.k.a. **JESSICA EDWINA BOSARGE**
961 Wesley Avenue
14 Mobile, Alabama 36609

ACCUSATION

15 **Registered Nurse License Number 597421**

16 Respondent
17

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19 Complainant Louise R. Bailey, M.Ed., R.N., alleges:

20 **PARTIES**

21 1. Complainant brings this Accusation solely in her official capacity as the Executive
22 Officer of the Board of Registered Nursing (Board), Department of Consumer Affairs.

23 2. On or about April 4, 2002, the Board issued Registered Nurse License Number
24 597421 to respondent Jessica Bosarge, a.k.a. Jessica Sutton Bosarge, a.k.a. Jessica Edwina
25 Bosarge. This registered nurse license expired on April 30, 2004, and has not been renewed.

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1 “(c) Suspending his right to practice nursing for a period not exceeding one year.

2 “(d) Revoking his license.

3 “(e) Taking such other action in relation to disciplining him as the board in its discretion
4 may deem proper.”

5 8. Section 2764 provides:

6 “The lapsing or suspension of a license by operation of law or by order or decision of the
7 board or a court of law, or the voluntary surrender of a license by a licentiate shall not deprive the
8 board of jurisdiction to proceed with any investigation of or action or disciplinary proceeding
9 against such license, or to render a decision suspending or revoking such license.”

10 **STATUTORY AUTHORITY**

11 9. Section 2761 provides, in pertinent part:

12 “The board may take disciplinary action against a certified or licensed nurse or deny an
13 application for a certificate or license for any of the following:

14 “(a) Unprofessional conduct, which includes, but is not limited to, the following:

15 ...

16 “(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action
17 against a health care professional license or certificate by another state or territory of the United
18 States, by any other government agency, or by another California health care professional
19 licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that
20 action.”

21 **COST RECOVERY**

22 10. Section 125.3 provides, in pertinent part:

23 “(a) Except as otherwise provided by law, in any order issued in resolution of a disciplinary
24 proceeding before any board within the department or before the Osteopathic Medical Board,
25 upon request of the entity bringing the proceedings, the administrative law judge may direct a
26 licentiate found to have committed a violation or violations of the licensing act to pay a sum not
27 to exceed the reasonable costs of the investigation and enforcement of the case.

28 ...

1 “(i) Nothing in this section shall preclude a board from including the recovery of the costs
2 of investigation and enforcement of a case in any stipulated settlement.”

3 **CAUSES FOR DISCIPLINE**

4 **FIRST CAUSE FOR DISCIPLINE**
5 **Bus. & Prof. Code, § 2761, subd. (a)(4)**
6 **Unprofessional Conduct – Out of State Discipline**

7 11. Respondent has subjected her registered nurse license to disciplinary action under
8 section 2761, subdivision (a)(4), for unprofessional conduct. On or about September 7, 2010, in a
9 disciplinary action before the Alabama Board, Case Number 540993, the Alabama Board issued
10 an Order Accepting the Voluntary Surrender for Revocation of respondent’s Alabama Registered
11 Nurse License Number 1-079545. The basis for this Order was that respondent diverted a
12 controlled substance.

13 **SECOND CAUSE FOR DISCIPLINE**
14 **Bus. & Prof. Code, §2761, subd. (a)**
15 **General Unprofessional Conduct**

16 12. Complainant realleges the allegations set forth in paragraph 11 and incorporates them
17 by reference as if fully set forth.

18 13. The conduct alleged in paragraph 11 above constitutes general unprofessional
19 conduct and provides grounds for discipline under the non-inclusive provisions of section 2761,
20 subdivision (a).

21 **PRAYER**

22 WHEREFORE, complainant requests that a hearing be held on the matters alleged in this
23 Accusation, and that following the hearing the Board issue a decision:

24 1. Revoking or suspending Registered Nurse License Number 597421 issued to Jessica
25 Bosarge, a.k.a. Jessica Sutton Bosarge, a.k.a. Jessica Edwina Bosarge;

26 2. Ordering respondent to pay the Board the reasonable costs of the investigation and
27 enforcement of this case pursuant to Business and Professions Code section 125.3; and
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3. Taking such other and further action as deemed necessary and proper.

DATED: March 14, 2013 *Louise R. Bailey*

for LOUISE R. BAILEY, M.Ed., R.N.
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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